

United States District Court

for

District of New Jersey

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Raymond Garcia

Docket Number: 99-00285-007

PACTS Number: 25199

Name of Sentencing Judicial Officer: Honorable Joseph A. Greenaway, Jr., USDJ

Name of Assigned Judicial Officer: Honorable Susan D. Wigenton, USDJ

Date of Original Sentence: 10/23/00

Original Offense: Conspiracy to Distribute Heroin

Original Sentence: 100 months imprisonment; 5 years supervised release; \$100 special assessment.

Type of Supervision: Supervised Release

Date Supervision Commenced: 04/13/07

Assistant U.S. Attorney: To be assigned, 970 Broad Street, Room 502, Newark, New Jersey 07102, (973) 645-2700

Defense Attorney: Federal Public Defender (to be assigned), 1002 Broad Street, Newark, New Jersey 07102, (973) 645-6347

PETITIONING THE COURT

- ☒ [X] To issue a warrant
☐ [] To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number **Nature of Noncompliance**

1 The offender has violated the standard supervision condition which states 'You shall not commit another federal, state, or local crime.'

On July 8, 2010, Garcia was arrested in Paterson, New Jersey, and charged with various narcotics offenses. According to the investigation report, police officials received information that Garcia was selling heroin and prescription narcotics from his residence at 181 Paxton Street. On the date of arrest, police observed several individuals (David Collins, Hector Nieves) purchase narcotics from Garcia. Police recovered 41 glassine packets of heroin and \$284 in cash from Garcia's bedroom. Six suboxone pills were seized from his person. The lab report indicates that the estimated net weight of the specimens collected were each less than one half-ounce.

On June 23, 2011, Garcia pleaded guilty to distribution of heroin (under one-half ounce), a third degree offense. He is scheduled for sentencing on September 9, 2011.

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The offender has violated the special supervision condition which states **'ALCOHOL/DRUG TESTING AND TREATMENT**

You shall refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and the use of alcohol, and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that you shall submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S. Probation Office. You shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged by the Court. You shall alert all medical professionals of any prior substance abuse history, including any prior history of prescription drug abuse. The Probation Officer shall supervise your compliance with this condition.'

In January 2011, Garcia began intensive out-patient drug treatment at Straight and Narrow, Paterson, New Jersey, to address an addiction to prescription narcotics. Their records indicate Garcia did not show the entire month of July 2011. As a result, he was discharged in August 2011 for failure to attend as directed.

Despite being involved in treatment, Garcia tested positive for codeine/morphine during a random drug test administered by the undersigned on March 1, 2011. He also admitted the use of percocet during an office visit on May 24, 2011.

Garcia has repeatedly failed to report for random drug testing as follows: January 10, 2011; January 18, 2011; February 3, 2011; February 10, 2011; March 1, 2011; March 10, 2011; April 11, 2011; April 20, 2011; July 11, 2011; July 19, 2011.

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The offender has violated the standard supervision condition which states **'You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.'**

Garcia failed to report as directed on the following occasions: January 19, 2011; February 8, 2011; April 12, 2011; June 22, 2011; July 22, 2011; August 8, 2011.

I declare under penalty of perjury that the foregoing is true and correct.



By: Denise Morales
U.S. Probation Officer

Date: 8/15/11

KM for TSC

THE COURT ORDERS:

- ☒ The Issuance of a Warrant
☐ The Issuance of a Summons. Date of Hearing: _____
☐ No Action
☐ Other



Signature of Judicial Officer



August 15, 2011
Date